



12-06-02

AF/1634 B
#18
CD

Attorney Docket: NEX77/CIP2
Express Mail Label: EV256517414US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: GOLD ET AL.

SERIAL NO.: 09/616,284

FILED: July 14, 2000

FOR: METHOD AND APPARATUS FOR
THE AUTOMATED GENERATION OF
NUCLEIC ACID LIGANDS

EXAMINER: FOREMAN, B.J.
ART UNIT: 1634

CONFIRMATION NO.: 6509

Assistant Commissioner for Patents
Washington, D.C. 20231

RECEIVED

DEC 10 2002

Dear Sir:

TECH CENTER 1600/2900

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD
OF PATENT APPEALS AND INTERFERENCES

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated June 5, 2002, of the Examiner finally rejecting claims 18 and 19.

PETITION FOR EXTENSION OF TIME

Applicant respectfully petitions for an additional three months extension of time, to and including December 5, 2002, to respond to the final Office Action mailed June 5, 2002.

Applicant claims small entity status. See 37 C.F.R. § 1.27

The undersigned hereby authorizes any deficiency of fees submitted herewith to be charged to Deposit Account No. 19-5117.

RECEIVED

DEC 17 2002

TECH CENTER 1600/2900

12/05/2002 MARDELRI 00000033 03616284

160.00 DP
460.00 DP

01 FD:2401
02 FD:2253

NOTICE OF APPEAL FEE

The undersigned hereby encloses the appeal fee of \$160.00.

Total fees being paid at this time are:

Extension fees:	\$ 460.00
Appeal fee:	<u>\$ 160.00</u>
	\$ 620.00


A check in the amount of \$620.00 is enclosed.

FURTHER REMARKS

In the Office Action mailed June 5, 2002, the Examiner issued a Requirement to Comply with Nucleic Acid Sequence Rules, setting a period of time to respond co-extensive with the time to reply to the Office Action. In response, please find enclosed a Statement under 37 C.F.R. § 1.821(f), a copy of the Notice to Comply, a substitute paper copy of the Sequence Listing, and a copy of the front of the substitute diskette containing the Sequence Listing. Please enter the paper copy of the Sequence Listing into the specification. The actual diskette containing the Sequence Listing in CRF has been sent to the following address per instructions contained in the Raw Sequence Listing Error Report issued by STIC: U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202.

This constitutes a request for any further extension of time. The undersigned hereby authorizes the charge of any required fees not included or any deficiency of fees submitted herewith to be charged to deposit account No. 19-5117.

Respectfully Submitted,



Steven N. Hird, #51,112
Swanson & Bratschun, LLC
1745 Shea Center Drive, Suite 330
Highlands Ranch, Colorado 80129
303.268.0066
303.268.0065 (FAX)

cc: Vanessa Appleby